

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI  
January 20, 2009

The City Council convened in Regular Session on Tuesday, January 20, 2009, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Jerry Reese, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Laurie Feldman, Michael Klinghammer, Bob Kneemiller, Larry Muench, Ron Stivison, Richard Veit, Michael Weller, Dave Beckering, and Erv Ermeling. Absent: None. The Assistant City Clerk, Sharon L. Brader, was present and performed the duties of that office.  
File #47013

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

ADMINISTRATIVE HEARING

The President of the Council Jerry Reese announced that the following Administrative Hearing would now be held. At the conclusion of the hearing, the Regular Session continued with the order of business:

Administrative Hearing to Consider an Appeal of a Decision of the Landmarks Board to Deny a Request to Construct a Building Addition at 906 Jefferson Street

BILLS FOR FINAL PASSAGE

**Bill 9842 (*Held*)**

An Ordinance Authorizing the Acceptance of the Provisional Streets in Chateau Country Club Subdivision as City Streets (*Sponsor: Laurie Feldman*)

Council Bill 9842 was held pending discussion of the Council Work Session scheduled for February 10, 2009.

BILLS FOR INTRODUCTION

The following Council Bills were introduced, except Council Bill 9856:

**Bill 9850**

An Ordinance Repealing Ordinance No. 08-150 and Vacating a Portion of a Fifteen (15) Foot Wide Utility Easement Located on Lot 2A of Resubdivision of Lot 2 of The Bull Subdivision. (*Sponsor: Jerry Reese*)

**Bill 9851**

An Ordinance Amending Chapter 75 of the Code of Ordinances of the City of St. Charles, Missouri by Deleting Section 75.05 in its Entirety and Enacting a new Section 75.05 Pertaining to Passenger Restraint Systems (*Sponsor: Jerry Reese*)

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**Bill 9852**

An Ordinance Authorizing a Contract with Midwest Mudjacking & Construction Company, Inc. for the Third & Tecumseh Roundabout Project in an Amount Not to Exceed \$1,285,854.50 (*Sponsor: Richard Veit*)

**Bill 9853**

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the New Town Boulevard Reconstruction Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsor: Michael Klinghammer*)

**Bill 9854**

An Ordinance Finding and Declaring that the Acquisition of Certain Lands for the Thomas Avenue Storm Sewer Project is Declared to be Necessary for Municipal Purposes, and Authorizing Acquisition of Said Land (*Sponsor: Larry Muench*)

**Bill 9855**

An Ordinance Approving the Dedication Plat for Fairgrounds Road and Relocated Old Friedens Road (*Sponsor: Laurie Feldman*)

**Bill 9856 (*Withdrawn*)**

An Ordinance Approving the Record Plat for Resubdivision of Part of St. Charles County Golf Course and Lots 60-72 of Hidden Oaks Subdivision, a Subdivision in the City of St. Charles, Missouri (*Sponsor: Laurie Feldman*)

Councilmember Laurie Feldman withdrew Council Bill 9856 prior to being introduced.

**Bill 9857**

An Ordinance Authorizing an Agreement with the St. Charles Lions Club for the Sponsorship of the Operation of the Farmers Market During the Summer of 2009 (*Sponsor: Richard Veit*)

**Bill 9858**

An Ordinance Authorizing Amendment No. 2 to the Engineering Services Contract with HDR/Archer Engineering for the Ultraviolet Disinfection for the Missouri Wastewater Treatment Plant Upgrade in an Amount of \$134,777.00, for a Total Amount Not to Exceed \$967,241.00 (*Sponsor: Michael Klinghammer*)

**Bill 9859**

An Ordinance Authorizing Amendment No. 2 to the Engineering Services Contract with Donahue and Associates for Developing Wasteload Allocations and Conducting an Antidegradation Review for the Mississippi Wastewater Treatment Plant Upgrade in an Amount of \$72,561.00, for a Total Amount Not to Exceed \$923,780.50 (*Sponsor: Michael Klinghammer*)

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**Bill 9860**

An Ordinance Amending Section 72.019 of the Code of Ordinances Pertaining to Flashing School Zone Lights – Time of Operation (*Sponsors: Larry Muench, Ron Stivison, Erv Ermeling, Michael Klinghammer, and Richard Veit*)

CONSENT AGENDA

Councilmember David Beckering removed *Item 8.B.2.b.i Street Committee Meeting of December 9, 2009, Motion to Approve Option #5 Which Includes the Medians Being Completely Filled with pavers; However, no Pattern in the Pavers and with the Beautification Commission Contributing \$110,000 Towards this Project from the consent agenda*; Councilmember Michael Weller removed *Item 8.D.3 Request for Authorization to Fill a Vacant Position in the Mayor's Office (Community Relations Liaison) and Item 8.D.4 Request for Authorization to Fill a Vacant Position in the Human Resources Department* from the consent agenda. A motion was made by LARRY MUENCH to receive and approve the balance of the Consent Agenda. DAVID BECKERING seconded the motion. A roll call vote was taken, with the following results: "Aye": Kneemiller, Muench, Reese, Stivison, Veit, Weller, Beckering, Ermeling, Feldman, and Klinghammer. "Nay": None. Absent: None. Motion passed.

A. Approval of Council Minutes

1. Regular Council Meeting of January 6, 2009
2. Public Hearing of January 6, 2009

File #47014

3. Special Council Meeting of January 13, 2009
4. Public Hearing of January 13, 2009

File #47015

B. Approval of Council Committee Reports

1. Approval of Council Committee Minutes
  - a. Community Freedom Center Oversight Committee Meeting of November 10, 2008
  - b. Street Committee Meeting of December 9, 2009
  - c. Council Work Session of January 6, 2009
  - d. Fire Station Design Team Committee Meeting of January 6, 2009
2. Approval of Council Committee Motions/Actions/Recommendations
  - a. Community Freedom Center Oversight Committee Meeting of November 10, 2008
    - i. Motion that a Report be Compiled Indicating the Cost of Purchase v. Leasing of a Site Office Trailer

File #46951

File #46775

File #47016

File #47017

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- b. Street Committee Meeting of December 9, 2009
    - i. Motion to Approve Option #5 Which Includes the Medians Being Completely Filled with pavers; However, no Pattern in the Pavers and with the Beautification Commission Contributing \$110,000 Towards this Project  
REMOVED FROM THE CONSENT AGENDA
    - ii. Recommendation that Kircher Drive be Accepted as a Provisional Street
  - c. Council Work Session of January 6, 2008 *(None)*
  - d. Fire Station Design Team Committee Meeting of January 6, 2009 *(None)*
- C. Receipt of Reports from Boards, Commissions or Committees
- 1. Landmarks Board Meeting of October 20, 2008  
File #46779
  - 2. Landmarks Board Meeting of November 10, 2008  
File #46779
  - 3. Landmarks Board Meeting of December 8, 2008  
File #46779
  - 4. Board of Public Works Meeting of November 13, 2008
    - a. Motion to Recommend Approval of the Water/Sewer Rate Increase as Presented to the Board *(Memo Dated November 6, 2008, Attached)*
    - b. Motion to Recommend Approval of the Contract with Thouvenot, Wade & Moerchen, Inc. for the Design of the Bee Jay Drive Storm Sewer Project in an Amount not to Exceed \$38,600
    - c. Motion to Recommend Approval of the Contract Amendment for Project management of the Interceptor Pump Station (48" Replacement) with EMC in an Amount not to Exceed \$40,000 for Incentive Payment  
File #46765
  - 5. Board of Public Works Meeting of December 11, 2008
    - a. Motion to Recommend Approval to Negotiate a Contract with Pickett, Ray & Silver for the Bridge Maintenance Creek Cleanout Project  
File #46765
  - 6. Economic Development Commission Meeting of December 4, 2008  
File #46763
  - 7. Greater St. Charles Convention & Visitors Commission Meeting of November 20, 2008
    - a. Motion to Approve the October Financial Report
    - b. Motion to Approve the Following Advertising/Public Relations Contracts
      - i. KDNL-TV – Christmas

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- ii. KDNL-TV – Fall Teaser
- iii. WICS-TV – Springfield IL
- iv. KSDK-TV – Christmas
- v. community News
- vi. KMOX/KEZK Radio – Christmas
- vii. Christmas Tree and Ornaments

Councilmember Mike Klinghammer requested that specific amounts of the contracts approved be listed in the minutes.

- c. Motion to Oppose the Construction of the Proposed Permanent Pavilion in Frontier Park

File #46808

- 8. Human Relations Commission Meeting of December 4, 2008

Councilmember Laurie Feldman requested that the Human Relations Commission give an update and report to the City Council.

File #47018

- 9. Bicentennial Meeting of December 3, 2008

File #46960

D. Receipt of Reports of the Director of Administration

- 1. Request for Authorization for Additional Interim Pay for Nick Hisserich

File #47019

- 2. Request for Authorization to Fill a Vacant Position in the Convention & Visitors Bureau (Sales Manager)

File #47020

- 3. Request for Authorization to Fill a Vacant Position in the Mayor's Office (Community Relations Liaison)

REMOVED FROM THE CONSENT AGENDA

- 4. Request for Authorization to Fill a Vacant Position in the Human Resources Department

REMOVED FROM THE CONSENT AGENDA

E. Approval of Contracts and Easements from \$30,001 - \$99,999

- 1. Contract with Gerstner Electric, Inc. for the Streetlight Maintenance Project in an Amount not to Exceed \$60,000

File #47021

F. Preliminary Plats  
None

G. Miscellaneous

- 1. Report of Court Administrator of Monies Collected and Deposited during the month of December 2008

File #46743

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- |             |                                                                                                                           |
|-------------|---------------------------------------------------------------------------------------------------------------------------|
| File #47022 | 2. Approve Two On-Premise Electronic Message Signs at 2139 First Capitol Drive                                            |
| File #46737 | 3. Investment Report for December 2008                                                                                    |
| File #47005 | 4. Application of Liquor License Application for Philip H. Hurlburt dba Lindenwood Mobil Mart Located at 2305 Droste Road |

ITEMS REMOVED FROM THE CONSENT AGENDA

8.B.2.b.i Street Committee Meeting of December 9, 2009, Motion to Approve Option #5 Which Includes the Medians Being Completely Filled with pavers; However, no Pattern in the Pavers and with the Beautification Commission Contributing \$110,000 Towards this Project

Councilmember David Beckering stated he is against using pavers and asked for a separate vote. Councilmember Klinghammer stated that the Street committee made a decision on this issue because the job has to be completed. Mayor Patricia M. York stated alternatives should be considered for this area.

MICHAEL WELLER made a motion to discuss the paver issue at the next Council Work Session scheduled for February 10, 2009. LAURIE FELDMAN seconded the motion. All voted in favor, motion passed.

8.D.3 Request for Authorization to Fill a Vacant Position in the Mayor's Office (Community Relations Liaison) and 8.D.4 Request for Authorization to Fill a Vacant Position in the Human Resources Department

MICHAEL WELLER made a motion to discuss the vacant positions in the Mayor's Office and the Human Resources Department at the next Council Work Session scheduled for February 10, 2009. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.

REPORT OF THE MAYOR

Written and/or Verbal Messages from the Mayor

Mayor Patricia York announced that there were events at the Convention Center, Foundry Art Centre, Family Arena, Lindenwood University and the Fete de Glace on North Main, January 31, 2009

Mayor Patricia M. York asked residents to check on their neighbors during the cold weather.

Mayor Patricia M. York thanked Gina Yacovelli for her work with the City of St. Charles and wished her the best in her future endeavors.

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ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Written and/or Verbal Messages from the Councilmembers

Councilmember Michael Klinghammer stated that at the January Board of Public Work Meeting it was recommended that the evaluation not be done and a water superintendent be hired. Councilmember Klinghammer requested that this item be placed on the February 10, 2009 Work Session.

Councilmember Erv Ermeling thanked the Water Department for their quick response to water main breaks in the City.

The Regular Council Meeting was adjourned at 8:37 p.m.

February 3, 2009  
Date Approved

Marilyn K. McCoy  
City Clerk

Jerry R.  
Jerry Reese, Presiding Officer